

**LICENSES AND CONSUMER SERVICES
LICENSE INSEPECTOR'S REPORT**

LICENSE NUMBER: L188-50121 **POLICE FILE NUMBER:** 13238

DATE OF APPLICATION: March 21, 2012

INSPECTOR: Greg Buenning

APPLICANT/LEGAL ENTITY: Cinema Beverages Holding Company, LLC

DBA/TRADE NAME: Uptown Theatre

COMPLETE ADDRESS: 2906 Hennepin Avenue, Minneapolis, MN 55408

LICENSE REQUESTED: Class "A" On-Sale Liquor with Sunday Sales

CURRENT LICENSE: Theatre

RESPONSIBLE PERSON WITHIN 75 MILES OF MINNEAPOLIS CITY HALL: Yes

PUBLIC HEARING REQUIREMENTS: A public hearing is required

LICENSE CONDITIONS: There will be conditions on this license. The applicant has agreed to staff recommendations and has signed the conditions document.

NEIGHBORHOOD/WARD: East Isles/Ward Ten

ZONING: C3A

7 ACRE REQUIREMENT: Met

OFF-STREET PARKING: This business has non-conforming rights and not required to have off-street parking spaces.

CHURCHES OR SCHOOLS WITHIN 300 FEET OF THE PROPOSED PREMISES: No

SEATING: 347

FIRE OCCUPANCY: 484

FOOD SERVICE REQUIREMENT: 60/40

HOURS OF OPERATION PROPOSED: INSIDE: 11:00 a.m. – 2:00 a.m. daily

METROPOLITAN COUNCIL SERVICE AVAILABILITY CHARGES: None

HISTORY OF LOCATION

This location has been used as a movie theatre venue since 1913.

APPLICANT

Cinema Beverages Holding Company, LLC

| <u>Name</u> | <u>Title</u> | <u>Shares</u> |
|-------------------------|-------------------------------|----------------------|
| William Schuyler Hansen | President/Secretary/Treasurer | 0% |
| WSH Holdco, Inc. | | 100% |

MANAGER

Mr. Patrick Cross will be the General Manager of Uptown Theatre. Mr. Cross has been with Silver Cinema Acquisition Company since 2001.

POLICE REVIEW

Police Licensing and this Inspector have reviewed the expenses and source of funds reported in this application. The applicant has provided documentation showing adequate legal and traceable funding for this venture and has passed the criminal background check. The Fifth Precinct of the Minneapolis Police Department has discussed security issues with the applicant.

PREMISES

The entire premise consists of 9800 gross square feet. The first floor will consist of traditional theatre seating and a lobby where event tickets may be purchased. There will be 253 seats on the first level. The dining area will be on the mezzanine level. There will be 24 seats available to patrons in the dining area. There will also be three seats at a bar area on the mezzanine level. The movie screen will not visible to patrons in the dining area. There will be 67 Odeon flex type balcony theatre seats on this level as well. The fire occupancy is 484.

BUSINESS/PLAN/OPERATIONS

Uptown Theatre will be offering a full menu dining experience for patrons when they attend movies. They will also offer a full compliment of alcoholic beverages. The business will continue to operate as a movie theatre venue and will offer traditional theatre seating for the movies and dining room seating for patrons to enjoy full feature films. They indicate that the venue will offer an upscale, one-of-a-kind experience for their guests to enjoy movies and dining with comfortable seating under one roof. They will pattern themselves after Landmark Theatres which offers this concept in 13 cities throughout the country. The restaurant will have a 60/40 food to alcohol sales ratio. Alcohol server training will be provided to their employees by a Minneapolis approved trainer. In addition to the initial training, ongoing annual training will be provided to ensure that employees are properly trained and updated. They will have a strict discipline policy for employees who violate policy. All employees will be required to sign an agreement that they will check for proper identification of patrons who order alcoholic beverages and not serve patrons who are obviously intoxicated. They will have a one drink per person policy and will monitor the auditorium routinely to ensure that only those of legal drinking age are consuming alcoholic beverages.

PUBLIC HEARING SUMMARY

A public hearing is required for this application. 167 public hearing notices were mailed out to residents and property owners within 600 feet of the premises and e-mailed to the East Isles Neighborhood Association, East Calhoun Community Organization, Calhoun Area Residents Action Group, Lowry Hill East Neighborhood Association and the Lyn-Lake Business Association on April 26, 2012. A public hearing was held on May 7, 2012, at Grace-Trinity Community Church, 1430 28th Street West. Seven people attended the public hearing. Mr. Michael Fant, who is Vice-President of Landmark Theatres in Los Angeles, CA. was at the public hearing to further explain how the theatre will operate. He explained how the theatre will be set up, utilizing architect drawings, and how customers can take advantage of having a movie experience and a dining experience at one venue. He also explained that the venue will also be used for five to ten annual corporate presentations for national businesses, and special movie screenings. All in attendance were supportive of this business coming to the Uptown area. Business Licenses received two public hearing responses for this business. One was opposed to the business being approved because the recipient felt that parking rights should not be grandfathered. The recipient in favor of the application felt that it would be a positive addition to the city and that it is in other cities in the country and is working well.

RECOMMENDATIONS

The Licenses and Consumer Services Division make the following recommendation for the application for Uptown Theatre. The license application for a Class "A" On Sale Liquor with Sunday Sales license is recommended for approval.

LICENSE CONDITIONS

Staff is recommending conditions to be placed on this license.